

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 24-CR-10259-MPK-DJC
	)	
MATTHEW FARWELL,	)	
	)	
Defendant	)	

**JOINT INTERIM STATUS REPORT**

Pursuant to Local Rule 116.5(b), the parties state as follows:

**(1) Status of Automatic Discovery and Pending Discovery Requests**

The government produced automatic discovery on September 25, 2024 (Bates Stamped USAO 000001-USAO 016698). Additional discovery (through USAO 036687) was produced by the government on the following dates:

- September 24, 2024
- October 1, 2024
- October 18, 2024
- December 12, 2024
- January 2, 2025
- January 10, 2025
- January 13, 2025
- January 28, 2025
- March 5, 2025
- March 11, 2025
- March 27, 2025
- April 15, 2025
- July 15, 2025
- August 18, 2025
- August 26, 2025
- September 16, 2025

Defendant has not yet produced any discovery to the government. The government has requested reciprocal discovery under Fed. R. Crim. P. 16(b) and Local Rule 116.1(D).

The government has provided responsive documents to defense discovery requests. The government recently produced additional early discovery (Bates Stamp 36613-36687). The defense team is continuing to review discovery and expects to send an additional request for discovery in the next several weeks. The parties anticipate being able to discuss and address those discovery requests without court intervention but will seek a hearing date should conflicts arise. The parties have negotiated a filter protocol for the review and filtering of potentially privileged material and are engaged in the filter review process. Once complete, the filtered materials will be provided to the prosecution team.

**(2) Timing of Any Additional Discovery to Be Produced**

The government has produced voluminous discovery that, in its view, goes beyond its obligations under the federal and local rules. The defendant sent a request for additional discovery on August 21, 2025. The government has notified the defense team that it intends to respond to these requests, and in many instances agrees to provide early discovery in response to such requests, by October 3, 2025. The government is continuing to review additional discovery and will produce those materials on a rolling basis. As the government obtains additional Rule 16 discovery, it will provide it to defendant pursuant to Local Rule 116.7.

**(3) Timing of Any Additional Discovery Requests**

Defendant is still reviewing the materials produced thus far and has made additional discovery requests. The defense anticipates filing a motion objecting to providing defense team members' DNA samples to the Massachusetts State Police Crime Laboratory in order to inspect and photograph certain evidence maintained in their custody in advance of the October 6, 2025 final status conference.

**(4) Protective Orders**

The government filed a motion for a protective order with the defendant's assent, and a protective order was entered by the Court on September 9, 2024 (ECF No. 22). At this time, the parties are conferring regarding the two potential modifications to the protective order and will file a joint motion to modify if they are able to reach agreement. If the parties are not able to resolve this issue, the defense team will seek Court intervention.

**(5) Pretrial Motions Under Fed. R. Crim. P. 12(b)**

The defendant is reviewing the discovery materials and evaluating the merits of any motions under Fed. R. Crim. P. 12(b). At this time, the parties do not request a motions deadline because the parties are continuing to confer regarding discovery, a filter review, and other issues that will impact the timing of a trial on this matter.

**(6) Timing of Expert Witness Disclosures**

Should expert testimony prove necessary, the government agrees to make the requisite expert witness disclosures 90 days before trial; the defendant agrees to make reciprocal disclosures 60 days before trial; and the government agrees to make disclosures regarding rebuttal experts, if any, 30 days before trial.

**(7) Speedy Trial Act Calculation**

The 70-day period specified in 18 U.S.C. § 3161(c)(1) commenced on August 28, 2024. The Court excluded all time between August 30, 2024, and October 6, 2025 (ECF Nos. 15, 26, 30, 35, 37, 40, 46).

**(8) Timing of a Final Status Conference**

The parties are prepared to appear at the October 6, 2025 final status conference and will seek to address issues related to the protective order and/or the defendant's access to evidence. Notwithstanding the currently scheduled final status conference, the parties anticipate requesting that the Court convene a further final status conference in approximately 60 days or at a date thereafter that is convenient for the Court. The parties are aware of the upcoming initial pretrial conference before U.S. District Judge Denise J. Casper at which time the Court may select dates for trial and other events. The parties ask the Court to exclude the period until that conference under 18 U.S.C. § 3161(h)(7) in order that the defendant may have adequate time to review discovery. The defendant agrees to exclude the time between October 6, 2025, and the date of the final status conference from the Speedy Trial calculation.

Respectfully submitted, this 29th day of September 2025,

LEAH B. FOLEY  
United States Attorney

/s/ Brian A. Fogerty  
Elizabeth Riley  
Brian A. Fogerty  
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Assistant U.S. Attorneys

MATTHEW FARWELL  
Defendant

/s/ Joanne Daley  
Joanne Daley  
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Attorneys for the Defendant

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2025, this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

/s/ Brian A. Fogerty  
Brian A. Fogerty  
Assistant U.S. Attorney